

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA	:	
	:	Case No. 3:05PO090
Plaintiff,	:	
	:	
vs.	:	
	:	Magistrate Judge Sharon L. Ovington
JOSHUA D. WEAVER,	:	
	:	
Defendant.	:	

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**ORDER FINDING DEFENDANT NOT GUILTY**

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Upon consideration of the evidence adduced at trial and in weighing the credibility of the witnesses presented the Court finds that the United States failed to establish proof beyond a reasonable doubt that Defendant was driving while under the influence of alcohol or a drug of abuse in violation of Ohio Revised Code § 4511.19(A)(1)(a) and 18 U.S.C. §§ 7 & 13. Accordingly, the Court finds Defendant not guilty of the offenses charged.

June 27, 2007

s/ Sharon L. Ovington  
Sharon L. Ovington  
United States Magistrate Judge